

By: Naishtat, Walle, et al.

H.B. No. 612

Substitute the following for H.B. No. 612:

By: Rose

C.S.H.B. No. 612

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the eligibility of certain persons for the food stamp  
3 program.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Chapter 33, Human Resources Code, is amended by  
6 adding Section 33.017 to read as follows:

7 Sec. 33.017. INAPPLICABILITY OF CERTAIN FEDERAL LAW IN  
8 DETERMINING ELIGIBILITY. As authorized by 21 U.S.C. Section  
9 862a(d)(1)(A), 21 U.S.C. Section 862a(a) does not apply in  
10 determining whether a person convicted of an offense described by  
11 that section is eligible for the food stamp program if the person  
12 meets one or more of the following requirements:

13 (1) as a result of the conviction, the person:

14 (A) is on community supervision under Article  
15 42.12, Code of Criminal Procedure, at the time the eligibility  
16 determination is made; or

17 (B) was placed on community supervision and the  
18 period of community supervision has expired or has been terminated  
19 without revocation;

20 (2) the person is enrolled in a drug treatment program  
21 at the time the eligibility determination is made; or

22 (3) the person completed a drug treatment program  
23 after the person was convicted of the offense.

24 SECTION 2. The changes in law made by this Act apply only to

1 a determination of eligibility of a person for food stamps made on  
2 or after the effective date of this Act. A determination of  
3 eligibility made before the effective date of this Act is governed  
4 by the law in effect on the date the determination was made, and the  
5 former law is continued in effect for that purpose.

6 SECTION 3. If before implementing any provision of this Act  
7 a state agency determines that a waiver or authorization from a  
8 federal agency is necessary for implementation of that provision,  
9 the agency affected by the provision shall request the waiver or  
10 authorization and may delay implementing that provision until the  
11 waiver or authorization is granted.

12 SECTION 4. This Act takes effect September 1, 2009.